

REPORT

of

Executive Officers – Executive
Council – Departments

and

Standing Committees

of the


MASSACHUSETTS
STATE LABOR COUNCIL
AFL-CIO



Sixteenth Convention

October 2-3-4-5, 1973

BOSTON, MASSACHUSETTS



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Secretary-Treasurer

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JOHN A. CALLAHAN.....	<i>Director, COPE</i>
GERARD KABIE....	<i>Director Publications & Public Relations</i>
ALBERT G. CLIFTON.....	<i>Legislative Consultant</i>

Executive Officers' Report

*To the Officers and Delegates to the Sixteenth Annual Convention of the
Massachusetts State Labor Council, AFL-CIO*

GREETINGS:

As we convene for our Sixteenth Annual Convention, we would like to note that the events of the past twelve months have deeply impressed us, as they must have the vast majority of our members — and we can safely say that at no time in the past has organized labor faced more challenging problems than it does at this time, as we open this Convention.

At this time last year we were in the midst of what can only be defined as a dilemma. We had not been able to accept fully the official position of the National AFL-CIO of non-participation in the Presidential election campaign — but most of us were nevertheless aware of the valid reasons for that decision of the AFL-CIO Executive Council. We had witnessed the sorry proceedings of the National Democratic Convention and many of us had been concerned that men of the mettle of a Muskie, a Humphrey, or a Jackson had been unable to make it to the forefront by the hour of nomination. We should be even more concerned now as we look back on events of the past year, which have established beyond the shadow of a doubt that the failure of these men to make it can be attributed in large measure to “dirty tricks” dreamed up in a White House occupied by a man most of us did not want for President.

At the close of our 1972 Convention the unemployment rate had been hanging at 5.5 percent for more than four months and the AFL-CIO was looking to Congress for action on measures to spur the economy. And with election day coming in a matter of weeks, the 92nd Congress just before adjourning rejected a presidential demand for a free hand to slash government spending programs. The AFL-CIO had warned that the spending cuts would “almost certainly fall most heavily on social and educational programs” and Legislative Director Andrew J. Biemiller said it would be “incredible” for any Congress to abdicate its constitutional responsibilities.

After President Nixon's now questionable “landslide” victory in November — the Watergate shadow makes it look more like a mudslide — it was predicted that his conflict with Congress over spending would continue, as the voters had increased the liberal strength of the Senate and had allowed virtually no change in the close liberal-conservative division that marked the House of the 92nd Congress. Early in the year, in fact last January, a frustrated Congress was already calling on the President for an accounting of appropriated funds impounded by presidential directive and both the Senate and the House had given voice vote approval to a resolution setting February 10 as the deadline for an official listing of the frozen appropriations, then estimated at about \$12 billion.

That same month, the country mourned the loss of former President Lyndon B. Johnson who died on January 22nd of a heart attack. The sharp contrast between what the AFL-CIO thought of the Johnson Administration and that of the Nixon Administration was aptly expressed by AFL-CIO President Meany when he said that Johnson was "one of our greatest Chief Executives" and that "the children of all Americans, and their grandchildren, will share the benefits of the Johnson years in the White House." One week before he had left the White House to make room for Nixon, Johnson had crossed Lafayette Park in Washington to come to the AFL-CIO Building to turn over to Meany what he termed "a symbol of what the last five years has been all about." It was a glass-enclosed case containing 100 pens used to sign into law 100 major legislative measures enacted during his Administration with labor support.

President Nixon's second inaugural address had been disappointing, calling for new directions at a time when the conflict between the executive branch and the legislative branch had been sharpened by presidential vetoes and veto threats, impounding of funds, and a moratorium on new federal commitments for long established housing programs. That portion of his address dealing with domestic issues all but disavowed the government's responsibility for finding solutions to national problems.

At that time, though speculating that it would be no easy task, the AFL-CIO called on the 93rd Congress to seize the initiative and act forcefully to improve on the record of its predecessor and rescue sidetracked legislation in such areas as tax reform, full employment, minimum wage improvement, foreign trade, national health security, welfare reform, consumer protection and environmental legislation.

But as we approach the end of the year, we look back on nine months in which various phases of economic controls ended in dismal failure, stalling progress for wage earners and boosting profits for profit-makers, in which we saw the unsavory scandal of Watergate involving the Presidency and a later lesser scandal involving the Vice Presidency throw the sad state of the nation completely out of focus, and in which we saw too little effort by the 93rd Congress to seize the initiative and tackle seriously critical problems that are still begging solution.

The most glaring recent example of the sorry state of the nation was the President's veto of an increase in the minimum wage passed by both houses of Congress. He attempted to justify the veto by calling it inflationary — to which AFL-CIO President George Meany answered: "Frankly, we had hoped for better leadership from the President of the United States than a presidential endorsement of myths which are the well-spring of racial and class prejudice. President Nixon is the first President in history to veto a minimum wage increase."

Shortly before that, in a Labor Day radio broadcast, President Meany had summed it up this way: "First, it is clear that the nation's economic outlook is very bad indeed. Not because there is any basic weakness in the economic structure, not because of any failure of America's ability to meet the needs of her people; but because of economic mismanagement by the Administration."

However, the AFL-CIO President struck an optimistic note at the conclusion of his message with these words: "America has a free labor movement that can and will fight for workers and for the rights of all people in the courts, in the legislatures and at the bargaining table.

"Above all, what is right in America is its institutions, its constitution, its democratic processes. With these tools, America can right its wrongs, secure justice, overcome its inequities."

IN THE STATE

Here at the state level, Massachusetts has continued to feel a greater impact from the Nixon Administration policies than other industrial states. The jobless rate in Massachusetts has consistently been and still is much higher than the national average. And to aggravate the situation, residents of Massachusetts are still plagued with higher and more regressive taxes than many other states.

However, the officers of this Council have worked closely all year with Massachusetts Congressmen and Senators to ease the impact of some Administration policies on the economy of Massachusetts and to stir up positive action in the Congress on critical legislation such as the Burke-Hartke import bill, the Kennedy Griffith national health bill, and to prevent cutbacks aimed at our airports and shipyards.

We conducted an intensive letter-writing campaign to prevent the adoption of a regulation by the Social and Rehabilitation Service of the HEW Department which would deprive the families of workers engaged in labor disputes from receiving public welfare.

Your executive officers went directly to Washington whenever necessary for personal contacts with the Massachusetts Congressional delegation on issues which would directly affect our members here in Massachusetts.

In December of last year we had filed thirty-two bills to improve the state laws that affect our working people and made it a point to appear at all important hearings on these bills and devoted much time to personal contacts with the leadership of both houses of the Massachusetts General Court.

Of the many special meetings held in the offices of the Council between regular meetings, some were with the Urban Planning Aid in reference to a proposed State Plan for implementation of the provisions of the Occupational, Safety and Health Act of 1970; some were on the matter of important national boycotts, particularly the boycott of Farah pants by the Amalgamated Clothing Workers of America and the lettuce boycott of the United Farm Workers; and very important meetings were held on Workmen's Compensation.

We conducted a successful Labor Institute in April at which important issues of the day were discussed by prominent speakers. Our Scholarship Program was a continued success. The Harvard Trade Union Program produced two specially trained union officials. And our Union Counseling classes graduated nearly one hundred new counselors.

We could expand much more on details of these activities but the details are fully covered in the Department and Standing Committee Reports which follow in the pages of this booklet.

CONCLUSION

In closing let us express our sincere thanks to the entire membership of our affiliated local unions for their cooperation in this difficult year. And we congratulate the Vice Presidents of the Council, our Department heads and the entire personnel of the office at 6 Beacon Street for their fine performances throughout the entire year.

Submitted with gratitude,

Joseph A. Sullivan, *President*

James P. Loughlin, *Secretary-Treasurer*

Daniel F. Murray, *Executive Vice President*

Joseph D. McLaughlin, *Executive Vice Pres.*



Report of Secretary-Treasurer

*To the Officers and Delegates to the Sixteenth Annual Convention of the
Massachusetts State Labor Council, AFL-CIO*

GREETINGS:

I am submitting this annual report in accordance with the provisions of Section 3 of Article VI of the Constitution of the Massachusetts State Labor Council, AFL-CIO. The report of our auditors, the firm of Flaherty, Bliss and Company, which appears in the last pages of this Book, gives in detail the financial status of our organization for the fiscal year ending June 30, 1973.

The Audit is an accurate account of the sources of revenue and the channels of expense which kept the Council in operation during the past fiscal year. I cannot change any of the details.

However, I want to draw your attention to several of the items which should be discussed. In the "Statement of Membership under Schedule I, you will note that we suffered a net loss of 20 affiliated locals between July 1st of 1972 and June 30th of 1973. We had accepted 41 new affiliations during that period but had lost 61 because of mergers, withdrawals and suspensions. As I pointed out last year, this has been a steady trend for the past four years. We have actually suffered a net loss of 93 locals from 1969 to the close of the fiscal year on which this report is based.

We have to consider, of course, that Massachusetts has for some time been plagued with a spasmodic loss of industries, most of the plant closings being due chiefly to the unfair competition generated by an unchecked flow of cheap foreign imports. There is no doubt in my mind, however, that some of our most recent economic losses have been related to politically-inspired setbacks. It is quite obvious that some of the cutbacks decreed by the Nixon Administration were simply a reaction to the stance Massachusetts retained during the election.

The government-planned recession, originally intended to bring inflation under control, has been a dismal failure. With the promise of the Nixon Administration that the unemployment rate would be kept under 4.5 percent, we saw instead a rise in unemployment up to nearly 7 percent nationally and to nearly 8 percent here in Massachusetts as this is being written. And not only has the Administration's policies failed to control inflation but we are seeing at this time an unbelievable and record-breaking rise in consumer prices.

As I pointed out in my Labor Day message this year, we cannot be indifferent in the face of impending economic disaster. We must continue to be the major force striving to preserve and to improve the conditions under which our members must live.

In order to have meaningful impact in demanding action by Congress on measures to create jobs, to curb imports and stop the exportation of American jobs, to establish national health insurance, to impose tax reforms, and to work out an economic program that will guarantee the stability of the American dollar we must be able to speak out as a Council from a position of unity and strength.

We are determined to achieve that strength and are currently engaged in a concerted drive to get all local unions in Massachusetts affiliated at full membership with this Council. Only in this way will we speak with one voice when we address ourselves to the powers that be. We will also be asking this Convention to bring our per capita structure to a more realistic level in order to keep the operations of the Council at top efficiency.

I am sure that the delegates to this Convention, who I am sure are very much aware of the precarious position to which the nation has been allowed to slip under the present Administration in Washington, will want to do everything they can to boost up the strength of the Council in preparation for the unprecedented challenges that lie just ahead of us.

In closing this necessarily short report, I want to thank the other officers of this Council and the officers of all of our affiliated local unions for the cooperation they have given me during the past year to enable me to meet the responsibilities of this office.

Respectfully submitted,



JAMES P. LOUGHLIN, *Secretary-Treasurer*



DEPARTMENT REPORTS

REPORT OF THE LEGISLATIVE DEPARTMENT

By: JAMES A. BROYER, *Director*

Meeting the deadline for filing last December, the Massachusetts State Labor Council, through this Department, filed a total of thirty-two bills based on a number of resolutions adopted by the Fifteenth Annual Convention of the Council in October of 1972. These bills all called for changes to improve laws that affect working men and women in Massachusetts, such as the unemployment and workmen's compensation laws, the employment agency law, the state labor relations law, the prevailing wage and the state overtime laws, and various other laws.

This legislative program of our Council might appear as a small part of the 9,253 bills with which the 1973 session of the Legislature was faced at the beginning of the year, but these thirty-two bills were the most important to Executive Vice President Daniel F. Murray, Consultant Al Clifton and myself, who are the active lobbyists of the Council. And they were important also to President Joseph A. Sullivan, Secretary-Treasurer James P. Loughlin and COPE Director John A. Callahan, who made it a point to appear at hearings in the State House on many of the key bills.

While striving to get our bills enacted, we found ourselves, as we do every year, having to oppose a number of bills filed by anti-labor forces. We had to oppose approximately 115 bills, many of which would have changed the anti-injunction law, the Sunday laws, and the Prevailing Wage Law. Others would have affected the survival of the Quincy Shipyard, Local 5 of the Shipbuilders and the working people of Massachusetts. I want to say here that the Speaker of the House, David M. Bartley, and the President of the Senate, Kevin B. Harrington, were very helpful to us in killing these bills. And Senator Allan McKinnon and Representative Anthony J. Scalli were also very helpful.

For the last four or five years we have spent much time around the State House working to defeat anti-labor bills or proposed legislation that would be detrimental to the working people of Massachusetts. For that reason, it is my honest belief that this Legislative Department and the Massachusetts State Labor Council each year should file no more than fifteen bills to cover the legislative aims of all of organized labor in the state. I discussed this idea with the officers of the Council at the special meeting held August 28, called for the purpose of previewing resolutions to be submitted to this Convention and the consensus was that the filing of fewer bills could afford us the opportunity to spend more time fighting for the most important measures, including some which are filed by affiliates and for which support is requested.

A Prevailing Wage bill we opposed was taken out of a study but we had a roll call on it and defeated it. The Resolve got to the Governor's desk but Senate President Kevin B. Harrington recalled it. We have hopes — and we have his word for it — that it will not see the "light of day."

As you will undoubtedly find in the Report of the Committee on Workmen's Compensation, we have, up to the time this is being written, been working very intensively on some substantial changes in the Workmen's Compensation law. We are hoping to make some significant improvements in that law. We are also seeking some changes in the Offset bill and are trying to change the percentage of unemployment compensation from 55 to 60 percent in two steps.

The Director of the Division of Employment Security, Richard C. Gilliland, has filed a bill that would put people drawing unemployment compensation, which has a maximum of \$80.00 right now, on a bi-weekly basis. This would create an extreme hardship for people making good salaries and for all working people in the Commonwealth of Massachusetts. We opposed this and we have a commitment from the Chairman of the Senate Ways and Means Committee, James Kelly, and the President of the Senate, Kevin B. Harrington, that this bill will not go through.

The Governor has approved a bill which sets up a study committee to study all strike bills, such as lock-out and the six week strikers' benefit bill. The study will be conducted by a committee composed of four members from organized labor — one each from the Auto Workers, the independent UE, the Teamsters and the Massachusetts State Labor Council — four members representing the Associated Industries, three Senators and five Representatives. This study is to be completed by the first Wednesday in December, 1973 and a report is to be filed with the Legislature.

I have a number of times warned against our being too complacent about the threat of right-to-work bills being introduced in Congress. A lot of mail is being circulated throughout the state, and I suspect in many other industrial states, trying to enroll people for a right-to-work campaign and soliciting funds to finance the campaign. Many of our union officers and members, and even some legislators, have received letters from Ben B. Blackburn, a Congressman from the Fourth District of Georgia, who serves on the Committee on Banking and Currency and on subcommittees on International Trade, Finance and Housing, in which he solicits donations to fight against union dues being used to support political candidates. For his National Right To Work Legal Defense Foundation, the gentleman from Georgia asks for contributions ranging from \$30.00 to \$300.00 or more. In my opinion, we might see a right-to-work bill introduced in the Congress within the next two years. I believe also that we are due for a big fight on Prevailing Wages pertaining to the building trades.

There were 14 bills aimed at dismantling the Unemployment Compensation Act of Massachusetts, most of them filed by Representative Edward P. Coury of New Bedford and some by Richard C. Gilliland, Director of the Division of Employment Security, which had to be opposed strongly. Delegates to a conference at the Statler-Hilton Hotel on March 14 were briefed on these bills so that they could attend and testify at the hearing on these bills which had been scheduled for March 14 and 15. The Gardner Auditorium was filled to capacity when the bills were heard and we were very gratified by the response of our members. All of the Coury bills would in some way have curtailed benefits to which jobless workers are entitled under

the law. Four bus loads of union members from New Bedford, the city that Coury, a Democrat, comes from, had made it to the State House. Needless to say, the bills were defeated.

The majority of the bills we favored or opposed were heard before the Committee on Commerce and Labor. However, we had several bills in the Committee on Judiciary, where Representatives Cornelius F. Kiernan, Senator William M. Bulger and Senator John J. Conte were very helpful. We also had bills before the following Committees: Government Regulations, Public Service, Public Safety, Transportation, Election Laws, Education, Insurance, Local Affairs and Urban Affairs.

We would like to thank Representative Michael F. Flaherty of South Boston for filing all of our legislation and appearing on all of it — and also Robert B. Ambler from Braintree.

The Legislative Department was also successful in having an Act, requiring Housing Authorities to bargain collectively with labor organizations representing their employees, made a little more effective by substituting the word "shall" for "may."

Earlier there was talk that the Legislature would achieve prorogation by September 15 but as this is written the General Court is still in session and the most optimistic guess is that it will complete its work for this session by mid-October. So in closing this unavoidably incomplete report, let me say that I hope that when prorogation comes we can look back on 1973 as a year of definite progress in the legislative arena.



REPORT OF COPE & EDUCATION DEPARTMENT

By: JOHN A. CALLAHAN, *Director*

In conformity with AFL-CIO National Policy, the Massachusetts State Labor Council took a neutral position in the 1972 Presidential Election Campaign. However, your COPE Committee worked entirely for endorsed candidates bidding for seats in the Great and General Court and for our endorsed Congressional candidates.

The final results of the November election show that in Massachusetts 186 Democratic Representatives had been elected, 52 Republicans and 2 Independents. Thirty-three Democratic State Senators had been elected and 7 Republicans. In the Congressional elections, 8 Democratic Congressmen had been elected, 3 Republicans and 1 Independent. The Council participated with financial assistance in the campaigns of 73 candidates. Front lash worked in the Twelfth Congressional District and did much toward making possible the election of Congressman Gerry Studds.

The proceeds of our Gompers-Murray Dinner, conducted on September 12, 1972, helped us in providing financial assistance to our endorsed candidates. The principal guest speaker at this biennial fund-raising affair was International President Howard McClennan of the Fire Fighters.

After being notified that President Paul Jennings of the IUE had been assigned to this area to assist in the Congressional District, meetings were set up with him, Brothers Duchessi and Murray and Sister Columbo to work out a program of action in the Congressional areas.

Pamphlets were sent to all of our affiliates entitled "The Critical Battle for Control of Congress." These were designed to arouse the interest of our members for more active participation.

The COPE Convention for the endorsement of candidates was held on October 5, 1972, and the respective Central Labor Bodies sent in the names of the candidates of their choice for endorsements.

In conformity with a resolution adopted at the 1972 Convention, a Committee was appointed to study COPE Rules and submit a report of their findings at the 1973 Convention. Appointed as members of this Committee were Lawrence C. Sullivan of the Greater Boston Central Labor Council; Edward T. Sullivan of the South Middlesex Central Labor Council; Herman Greenberg of the Pioneer Valley AFL-CIO Council; and myself. We met on February 15 and the result of our findings will be presented in resolution form at this 1973 Convention.

The COPE By-laws have been condensed, and the change was accepted and adopted at the June meeting of the Massachusetts State Labor Council. These laws are an addendum to the National Rules governing COPE and are not in conflict with National AFL-CIO Rules.

SCHOLARSHIP PROGRAM

Examinations in the Scholarship Program of the Massachusetts State Labor Council, conducted yearly for high school seniors throughout the State, were held on April 4, 1973. The topic for the scholarship program was: "There is currently some disagreement concerning the functions of labor organizations. Some say that they are single-purpose organizations with responsibilities limited to wages, hours and working conditions. Others claim that labor organizations, in addition to their economic functions, have social and community obligations to their members and to society in general. Which role do you advocate?"

Letters were sent to International Unions requesting literature to be used in filling that kits that contain information relative to questions asked of the students. And a request has been made to all unions in the State of Massachusetts to contemplate participating in the program by establishing scholarships in their respective unions, with a minimum of \$100. Approximately \$20,000 was awarded in scholarships this year.

Winners of the five top Awards in the 1973 Scholarship Program were:

JOHN F. KENNEDY MEMORIAL SCHOLARSHIP, \$1,000 — Laurie C. McKenna of Lynn English High School.

FRANCIS E. LAVIGNE MEMORIAL AWARD, \$1,000 — Johanne H. Ahola of Quincy High School.

SALVATORE CAMELIO MEMORIAL AWARD, \$500 — Patricia A. Connally of Lynn English High School.

AMERICAN INCOME LIFE INSURANCE COMPANY AWARD, \$500 — Mary O'Brien of Lynn English High School.

JAMES W. DEBOW MEMORIAL AWARD, \$250 — Matthew Leigh Sherman of Lynn English High School.

The judges were Joseph P. O'Donnell, Harvard Trade Union Program; John P. Regan, Attorney; Franklin J. Murphy, AFL-CIO Regional Director; John O'Malley, AFL-CIO Regional Organizer; Jasper Grassa, North Shore Labor Council; and Rev. Edward Doyle of the Institute of Industrial Relations.

HARVARD TRADE UNION PROGRAM

Interviews to select participants in the Harvard Trade Union Program were held on Monday, April 2, 1973. Those selected this year were Paul Quirk, SEIU Local 509; Lawrence McLaughlin, Sheet Metal Workers Local 17; and John McDonald, International Union of Operating Engineers Local 877.

The Massachusetts State Labor Council in the year ahead, as in the past, to cooperate in providing Trade Union Fellowships at Harvard. For those of you who may not be fully informed about the program or the manner in which applications must be submitted, let me repeat the following:

There are two Fellowship Awards: the Robert J. Watt Fellowship and the Harvard Trade Union Alumni Memorial Fellowship. The first was estab-

lished as a permanent yearly fellowship at the 61st Convention of the former Massachusetts Federation of Labor to perpetuate the memory of Robert J. Watt, who, as Secretary-Treasurer of the Federation, had urged the establishment at Harvard University of a program for the training of trade unionists in administrative and executive fields, which eventually culminated in the establishment of the Harvard Trade Union Program. The winner of this Fellowship attends the Fall session of the Program starting in September.

The second Fellowship is dedicated to the memory of outstanding leaders of the trade union movement in Massachusetts who themselves believed in training the leadership of local unions so that they, in turn, could enlighten the membership of their organizations. The winner of this Fellowship attends the Spring session, which starts in February.

Last year a new award was established by the Harvard Alumni Association. This is the Salvatore Camello Memorial Award in memory of the late MSLC president who devoted his entire life to the trade union movement. The winner of this fellowship also attends the Spring session.

The three Fellowships are equal in value and opportunity. Recipients of each fellowship receives an honorarium of \$2,500 to cover expenses of tuition, meals, books, medical and other required fees. The remainder will offset, in part, loss of wages during the 13-week classes that the fellow has to attend at Harvard University.

The purpose of the program is to extend to trade unionists the same basic type of training for administrative responsibility which is available to men in public service or in private industry.

Subjects taught in the trade union course include: Problems in Labor Relations; Economic Analysis; Labor Law and Arbitration; Trade Union Administration, Organization and Contemporary Problems; Seminars on Negotiation and Mediation; American Labor History and International Labor Affairs; Public Speaking and Parliamentary Procedure; and Collective Bargaining Seminars.

HOW TO APPLY

(a) Applicants shall prepare papers summarizing their respective backgrounds and experiences in the trade union movement.

(b) Applicants must designate the manner in which they intend to apply the training they receive.

(c) Application must be accompanied by a letter from the President of the Local Union or Central Body in which the applicant is a member or delegate in good standing.

(d) Each applicant must appear before the Advisory Board for a personal interview. The next personal interviews will be held by the Advisory Board at a date to be established some time in April, 1974.

As to who may apply, every trade unionist is offered the opportunity to qualify for the training offered in the fellowship program, provided that he

or she is a member in good standing of a local union affiliated with the Massachusetts State Labor Council. No specific educational qualifications are required. The University is primarily interested in having the unions send men and women of intelligence and practical experience, who are dedicated to the labor movement and who expect to spend their careers in its service.

For information relative to the course, write or call: Joseph P. O'Donnell, Executive Director, Harvard University Trade Union Program, Sherman Hall, Boston, Massachusetts 02163. Telephone 495-6467.

Applications must be submitted prior to March 23, 1974, and sent to the attention of John A. Callahan Director, Department of COPE and Education, Massachusetts State Labor Council, AFL-CIO, 6 Beacon Street, Boston, Mass. 02108.

LABOR INSTITUTE

The annual Labor Institute was held on April 5 and 6 at the Highpoint Motor Inn in Chicopee and was even more successful than had been anticipated. With over 230 delegates in attendance, the Institute went perfectly as scheduled and the interest of the delegates in the subject discussed was strongly evidenced by the serious questions posed to the invited speakers throughout the sessions.

President Joseph A. Sullivan set the keynote for the Institute in an address delivered at the opening luncheon on April 5, in which he touched on most of the subjects that would be discussed during the sessions. He pointed out that the film, *The Rise of Labor*, which was to be shown at the start of the first session, was an appropriate opening as it would "serve to remind us of our purpose as labor people and to impress upon us that to achieve our goals and reach our objectives, we must be prepared to keep on fighting uphill battles."

The Council President said that many of us at times get the impression "that we're moving backward instead of forward" from the stories we read in newspapers. "But we can't let appearances discourage us or kill our spirit," he admonished. "The pioneers of labor, I am sure, felt like giving up many times. And the price they paid for their persistence in many cases was pretty high. But their persistence did get results. Today we do have Social Security. We do have paid vacations. We do have pension plans. And the living standards we enjoy are much higher, very much higher, than they were forty, fifty, or sixty years ago. So let's stick it out as the old timers did — so that our children and our grandchildren can look back on this decade and say that we too were fighters."

He expounded on what it is that organized labor still wants and can accomplish. He pointed out that pension plans are still inadequate and must be improved, that controls must be placed on imports and restraints on the exportation of jobs by multinational firms to protect American workers, that a national health program must be established to assure every American citizen of proper medical care, and that tax reform is long overdue.

"Our work is far from completed," he concluded, "and it is up to us to show that we are up to the challenges that lie ahead. That is why we are here — to discuss, to question, and to plan together."

One of the principal speakers at the Institute was Harry Van Arsdale of the International Brotherhood of Electrical Workers, who called it a crime to say that we have to have a certain rate of unemployment. "Everybody who wants to work," he said, "should have a job." He pointed out that five million jobless workers means a loss of \$120 billion in goods and services each year. He called the eight-hour day at this point in time a fraud. He touched on the progress that has been made by minority groups. He charged that most strikes are provoked by employers. And he predicted that Massachusetts will some day have a labor college where degrees will be awarded in labor studies.

Other speakers included Attorney Lawrence Locke, who talked at length on Workmen's Compensation; Robert Moran, Chairman of the Occupational, Safety and Health Review Commission, who spoke on the progress made by OSHA and some of the problems which still have to be resolved; Henry Murray, Area COPE Director for District 1, who described how National COPE has been modernizing its facilities; Rev. Mortimer Gavin, S.J., Director of Industrial Relations for the Archdiocese of Boston; the Honorable Robert H. Quinn, Attorney General for the Commonwealth of Massachusetts; John J. Sheehan, Leg. Dir., United Steelworkers; and Franklin J. Murphy, AFL-CIO N. E. Regional Director.

Secretary-Treasurer James P. Loughlin, speaking at the closing luncheon, talked on the impact of imports on American jobs, stressing the urgent need for enactment of the Burke-Hartke bill by Congress. But pending action by Congress, he said, union members can do something about imports by using good judgment when buying.

"We all know the meaning of the union label," he said, "and how important it is to look for that label when buying. But there is another label that is equally important today — and that is the 'Made in America' label."

Joseph P. O'Donnell, Director of the Harvard Trade Union Program and Chairman of our Committee on Education, eloquently summed up the work of the Institute and commended yours truly for giving union members the opportunity to participate in such a rewarding enterprise as this Institute.

Let me add here that the members of our Committee on Education worked with me and Chairman O'Donnell in the preparation and in the conducting of the Institute and they are also to be commended on the outstanding success of the project. These Committee members are Rose Claffey, Malcolm MacKinnon, Harold Southerland, William McGuinness, Alice Connally, Erika Pineault, Joseph Kinnarney, John Fernandes, John Casey, James Grande and Michael Tarallo.

A NOVEL APPROACH

This section of my report has to do with the Minuteman Regional Vocational Technical School, which is scheduled to open around March, 1974, and

which is intended to be a novel approach to vocational education. Experiment and innovation in programs will be tried after approval by various boards and advisory groups, one of which committees will include myself, Joseph P. O'Donnell of the Harvard Trade Union Program and Paul Devlin of the American Federation of Teachers.

Some thirty teachers are to be hired in 1974, which will constitute approximately one-fourth of the teaching force when the school is to be opened. This, incidentally, will be a twelve-month program and the hours spent in school will differ from the customary school hours. Retarded students will also participate in the curriculum.

From time to time labor representatives will be called upon to discuss programs at the school with Mr. Sains, Superintendent-Director of the Minuteman Regional Vocational Technical School.

CONCLUSION

Other meetings and functions which I have attended during the year involved the Regional Director of the United States Department of Labor, foreign labor representatives studying in the Harvard Trade Union Program, the International Brotherhood of Electrical Workers, Postal Employees, Amalgamated Clothing Workers of America, the National Committee on Housing, Building Trades Central Labor Bodies throughout the State, and all Regional Conferences.

In closing I want to express my sincere thanks to all who have worked and cooperated with the COPE and Education Department during the year — and I also want to direct your attention to the Special Report I have prepared for this Book relative to the Institute for Labor Affairs and Labor Relations and Research Center, which you will find in these pages.



SPECIAL REPORT

By: JOHN A. CALLAHAN, *COPE and Education Department*

ON THE INSTITUTE FOR LABOR AFFAIRS and LABOR RELATIONS AND RESEARCH CENTER

On March 23, 1973, Secretary-Treasurer Loughlin and myself met with Joseph Cass, Executive Administrative Assistant to the President of the University of Massachusetts, to discuss future meeting and suggested programs for the Labor and Research Center of the University of Massachusetts.

On April 19, 1973, a report was made to the Executive Council about the matters discussed. I submitted, and they concurred, that eleven names of members from organized labor would be forwarded to Mr. Cass and that these members, along with an additional eleven members from the faculty, would serve as an Advisory Committee. If Mr. Cass so wished, members from unions not affiliated with the Council could be added to this Committee.

Meetings are to be held quarterly, with two taking place in Boston and two at the campus in Amherst. At these meetings, the Director will act as Chairman and the President of the Massachusetts State Labor Council as Vice Chairman. I explained that in the area of research it sometimes becomes necessary for a monetary consideration to be paid to those who would do research on the economy of Massachusetts, consumer problems in the State, and other related matters in order to have some basis for arriving at recommendations for the betterment of the community.

On May 11, 1973, the full committee from the Massachusetts State Labor Council met with University President Wood and Mr. Cass. At the request of the Committee, the Center will endeavor to research into "The Decline of the Massachusetts Economy through Plant Closings and Reduction of Federal Funds." We trust that as a result of this research we may be able to help create jobs, revive the economy and attract industry to the state.

FUNCTIONS OF THE ADVISORY COMMITTEE

The Director and Center are advised by an Advisory Council composed of organized labor and faculty members, appointed by the President.

The Research Council, comprising a subcommittee of *three members from the labor representatives on the Advisory Council and four members from the Center's faculty Research Associates*, not within this line of authority, acts as a consultative body to the Center, under specifications delegated to it by the Interdisciplinary Committee *on advice and recommendations of the Advisory Council*.

The functions of the Advisory Council have been specified in Appendix E of the Center's governing document dated May, 1964, and are as follows:

1. Interpreting to the University to the educational needs of the labor movement. This includes advice and suggestions on the types of programs, the materials to make the programs effective, but such advice shall not

- be binding on the Labor Center Program or the University. This advice should include the administrative relationships between the University and the unions.
2. Interpreting of the University program within the labor movement, including the promotion of the University Labor Relations activities.
 3. Helping to interpret the program in the community so that there is public understanding of the role of the University in labor educations.
 4. Serving as an opportunity for review of University proposals. In the operation of the program it is expected that ideas will come from both sides. The Council meetings will encourage this, and serve to test these ideas.
 5. Providing an opportunity for interchange of ideas which will lead not only to experiments in education, but also to research opportunities of mutual concern.
 6. Building support for the program, including adequate financing.

ACADEMIC PROGRAM

Subject to the rules and regulations of the University and the Graduate School, all policy matters relating to academic work at the University are the responsibility of the Interdisciplinary Committee, of which the Director serves as Chairman, subject to the Provost, President and the ultimate decision-making power of the Board of Trustees. *Changes in policy matters relating to academic work in the Center program are to be discussed with the Advisory Council prior to adoption.*

RESEARCH PROGRAM

Upon the recommendation of the Advisory Council, the Center has moved toward establishing an in-house research capability so that the more pragmatic problems of concern to the labor movement will be handled expeditiously. The research program now in effect moves forward at three levels: (1) faculty research, (2) in-house studies, and (3) training projects.

In regard to faculty research, the Research Council will advise the Director on the development of this program element. The Director will inform the Advisory Council of such developments: *decisions on which projects to sponsor will be subject to discussion by the Advisory Council.*

In regard to in-house studies and training projects, the Research Council, made up of four faculty Research Associates and three representatives of organized labor from the Advisory Council, shall advise the Director on development of these programs. The Director will inform the Advisory Council of such developments.

General policy governing research and training programs are within the jurisdiction of the Board of Trustees of the University.

Labor members of the Advisory Council are Joseph A. Sullivan, James P. Loughlin, Daniel F. Murray, Joseph D. McLaughlin, John A. Callahan, Rose Claffey Helen Tafe O'Donnell Edward T. Sullivan, Howard Doyle, Ralph Roberts and Joseph P. O'Donnell.

LABOR LAW DEVELOPMENTS DURING PAST YEAR

By: ROBERT M. SEGAL, *Counsel*

1. INTRODUCTION

Decisions by the federal courts again dominated the labor law field although the ten cases decided by the U. S. Supreme Court were not of major importance compared to such past decisions as successor companies, labor injunctions, or enforceability of arbitration clauses and awards. Only three cases involved the National Labor Relations Act while the others involved the internal affairs of labor unions, the fair labor standards act, political activities by unions and civil rights. On a state level, again, there were only a few labor cases.

A. FEDERAL CASES

1. LABOR RELATIONS CASES

In the three cases involving the National Labor Relations Law, the Court dealt with the right of unions to fine members, the problem of the reasonableness of the fines and rights of strikers to reinstatement.

In *NLRB v. Granite State Joint Board Textile Workers Local 1029*, 409 U.S. 213 (1972) which originated in New Hampshire, the National Labor Relations Board ruled that the Textile Workers Union violated section 8 (b)(1) of the Act when it sought court enforcement of fines against strike-breaking members of the union who had previously voted for the strike and for fines against any member who helped the Company during the strike. When the strike persisted, some members went through the formality of resigning from the Union and then went through the union's picket line. When the union fined these persons and then went to Court to enforce the fines, the N.L.R.B. held that this was a violation of Section 8 (b)(1) of the Act, for the attempt to collect fines coerces or restrains the fined employees in their exercise of Section 7 of their rights. The U.S. Supreme Court upheld the Board (and revised the first Circuit of Appeals) and concluded that there was no provision in the union's constitution or by-laws curtailing a member's freedom to resign and that any attempt to enforce a fine for past-resignation conduct would restrain or coerce a person in violation of Section 8 (b)(1) of the Act. This decision greatly limits the earlier decision in *N.L.R.B. v. Allis Chalmers Mfg. Co.*, 388 U.S. 175 (1967) where the Court decided that the action of a union in suing to collect fines imposed on its members for strike-breaking did not violate Section 8 (b)(1)(A), for a union has a right to prescribe its own rules and regulations with regard to the acquisition or retention of membership and the action against a member was not offensive to the policies of the Act. The *Granite State Case* should alert unions to review their constitutional rules on membership including the rules relative to resignations, for under this case, unions cannot take legal action against non-members or former members.

In the second case, *N.L.R.B. v. Boeing Co.*, 83LRRM (1973), the Court held that the N.L.R.B. does not have the authority to determine whether a fine

imposed by a union in a lawful manner upon a member is reasonable in amount. The Court held that the reasonableness of such fines is not for the N.L.R.B. but for the state courts to decide applying "the law of contracts, voluntary associations or such other principles of law as may be applied in a forum competent to adjudicate the issue." Further the Court in this case reiterated its *Granite State* holding that no matter what a state court might do in a proceeding to enforce a fine for conduct after the member had resigned from the union, any attempt to enforce such a fine would violate Section 8 (b)(1)(A) of the Act. Thus the unions can fine their *members* who cross their picket lines but the ability of the unions to collect depends on the state courts which will pass on the reasonableness of these fines. At the same time, unions cannot legally enforce fines against non-members or former members regardless of the reasonableness of the fines.

The third case, *N.L.R.B. v. International Van Lines*, 409 U.S. 48 (1972), the Court held that strikers are entitled to reinstatement when the strikers are first discharged for striking and thereafter the employer hires permanent replacements. The case merely stands for a well recognized principle that when an employer violates the Act by discharging a striker, the striker has a right to reinstatement on request and the employer must give him his job back at the expense of replacements hired after the employer committed the unfair labor practice. This merely adds to the existing right of strikers to reinstatement, whether the strike is an economic or unfair labor practice strike, if the strikers have not been replaced.

2. FAIR LABOR STANDARDS CASES

Two cases involved the Fair Labor Standards Law. In the first, *Employees of Dept. of Public Health and Welfare, State of Missouri v. Dept. of Public Health and Welfare, State of Missouri*, 36 L. Ed. 2d 251 (1973), the Court held that state employees do not have standing to sue their employer in federal court under the FLSA provision permitting private suits for unpaid or overtime wages. The Court suggests that investigations and suits on behalf of state employees can be made by the U. S. Secretary of Labor and possibly by individual suits in the state courts.

In the other case, *Brennan v. Arnheim and Neely, Inc.* 93 S. Ct. 1138 (1973), the Court held that a real estate management company which collected rents and hired and fired and paid the custodial and maintenance help employed in the commercial and apartment building was subject to the minimum wage and overtime provisions of the Fair Labor Standards Act when all its rentals of all its buildings were aggregated.

3. OTHER CASES INVOLVING LABOR

In *U.S. v. Enmons*, 93 S. Ct. 1007 (1973), the Court by a 5-4 decision held that the Hobbs Act does not apply to the use of violence in labor disputes even though this may be a violation of state criminal and civil law and may even be a violation of the Taft-Hartley law when directed against employees. The Court refused to accept the government's theory that violence in support of a strike to obtain a collective bargaining agreement containing higher

wages constituted "extortion" and thus came within the prohibition of the Hobbs Act making it a crime to obstruct interstate commerce by robbery or extortion.

In *Hall v. Cole*, 83 LRRM 2177 (1973), the Court upheld the award of counsel fees to a union member who brought a successful action under Title I of the Landrum-Griffin Act against union officials challenging his wrongful expulsion from the union. The officers had expelled the member from the union for introducing resolutions at a union meeting contrary to the policies of the union and this was held to be a violation of Section 101 (a)(2) of the Landrum-Griffin Act.

In *U.S. Civil Service Comm. v. Nat. Ass. of Letter Carriers*, (June 25, 1973), the Court upheld the constitutionality of legislation (Hatch Act of 1939) prohibiting political activities by federal employees. In the companion case, *Broadrick v. Oklahoma*, the Court affirmed the decision of the U.S. District Court for the Western District of Oklahoma, upholding the constitutionality of an Oklahoma law restricting the political activities of state employees.

In an important civil rights case involving Title VIII of the Civil Rights Act of 1964, the Court in *McDonnell v. Green*, 93 S. Ct. 1817 (1973) announced guidelines for federal courts to follow in cases involving the issue of an employer's real reason for refusing to hire former employees or applicants. The Court stated that an applicant must carry the initial burden of establishing a prima facie case of racial discrimination and he may do so by showing that he belongs to a racial minority, he applied and was qualified for an open job but he was rejected and the position still remained open; thereafter the burden of proof shifts to the employer to present some legitimate non-discriminatory reason for the rejection unless the applicant could prove the reason was merely pretextual or discriminatory or a "coverup" for a racially discriminatory decision.

In the final case, *Dean v. Gadsden Times Publishing Corp.* 93 S. Ct. 2264 (1973), the Court held that the Alabama state law requiring employers to pay their employees for jury duty was not unconstitutional as a violation of substantive due process. Indeed government regulation of the terms and conditions of employment no longer are unconstitutional.

B. STATE CASES

Several labor decisions by the Supreme Judicial Court of Massachusetts should be noted. In *Harrison v. Labor Relations Commission*, 1973 Adv. Sheets 723, the Court upheld the MLRC's decision that Boston deputy chiefs and district chiefs in the fire department are "executive officers" under the Mass. collective bargaining law and therefore are not covered by the provisions of the Municipal Collective Bargaining law. In *Greene v. Marr and Sons Flooring Co.*, 1972 Adv. Sheets 1699, the Court upheld an arbitrator's decision ordering a company to rehire a shop steward who had top seniority by virtue of his office; in this case the Court affirmed its long standing rule relative to arbitration awards that in the absence of fraud, arbitrary conduct or procedural irregularity in the hearings, the court's determination is confined largely to

whether the arbitrator's award conforms to the terms of the reference submitted to the arbitrator by the parties. In *American National Red Cross v. Labor Relations Commission*, 1973 Adv. Sheet 699, the Supreme Judicial Court of Mass. upheld the decision of the Mass. Labor Relations Commission that it has jurisdiction over the Mass. Red Cross Blood Program, even though the latter claimed that it was a state program chapter of Red Cross, a federal instrumentality. The Court held that the Commission had substantial evidence before it to support its finding that the Program was a health care facility covered by the definition in Chapter 150A, Section 2 of employers subject to the Commission's jurisdiction.

C. CONCLUSIONS

The labor decisions in the federal courts still predominate in the labor law field although cases in the state and municipal labor relations field are starting to make their mark in the state court. On the legislative front, few labor laws were enacted in Massachusetes during the past year and, as of the date of this report, the Legislature was still again considering such important labor bills as repeal of the pension offset bill, increasing benefits in the unemployment and workmen's compensation fields, liberalizing of the eligibility for unemployment compensation benefits, and similar labor issues.



**STANDING
COMMITTEE
REPORTS**

REPORT OF COMMITTEE ON TAXATION

Members: JOHN BARRON, *Chairman*; RICHARD B. O'KEEFE, FRANCIS QUINN, PHILIP SALEM, HOWARD V. DOYLE, JESSE DRUCKER, MANUEL FERNANDES, CHARLES WARREN.

At our last Convention, in October of 1972, no doubt was left as to how the Massachusetts State Labor Council felt about the graduated income tax. In adopting Resolution No. 33, the Fifteenth Convention put itself fully in support of the graduated income tax concept, at the same time urging the members of all affiliated local unions to express that support at the polls in November by voting right on a Referendum that would have unshackled the hands of legislators and enabled the General Court to study and consider any graduated income tax proposal.

However, for the third time in a decade the electorate in Massachusetts turned down an opportunity to give the Legislature the authority to enact meaningful tax reforms. On November 7, 1972, the vote on Question 6, which would have amended Article 44 of the Constitution to extend the authority of the Legislature on tax reform, was a resounding two-to-one against. Incidentally, the voters of Ohio on that same day were defeating by a better than two-to-one margin an attempt to do away with their graduated income tax.

Prior to the November election, our Committee and the Executive Officers of the Council had worked closely with the Coalition For Tax Reform, Inc., an organization consisting of the Legislative Council for Older Americans, Inc.; the Massachusetts Council of Churches; the Massachusetts Teachers Association; the Massachusetts Mayors Association; the Massachusetts League of Cities and Towns; the United Auto Workers; the Americans for Democratic Action; and the Massachusetts Congress of Parents and Teachers. Add to these our own State Labor Council, the strong support of Governor Francis W. Sargent and House Speaker David M. Bartley plus that of several of the major television channels and you would expect that such an imposing and comprehensive coalition, representative of practically every taxpayer in the Commonwealth, could not possibly fail to put its message across. The Coalition had disseminated much informative literature, including a tentative graduated tax proposal prepared for the Coalition which showed conclusively that workers with incomes up to \$20,000 would benefit on a graduated scale.

Massachusetts is one of only five states that still cling to an outmoded flat-rate system. The others are Illinois, Indiana, Michigan and Pennsylvania. In a reprint from the National Tax Journal, distributed by the Coalition, an article by Staff Economist Edward Moscovitch of the Federal Reserve Bank of Boston compared what wage earners in Massachusetts pay with those in New York, where a graduated income tax is in effect. If you earn \$5,000 to \$6,000 in the Bay State you pay \$153 but in New York you'd pay \$38. On an income of \$20,000 to \$25,000 in Massachusetts you pay \$951 but in New York you'd pay \$922.

In considering our failure to convince the voters in 1972, to ask what went wrong is now a moot question. The reality is that we cannot have another chance at this type of tax reform until November of 1976 and that in the meantime we are faced with the possibility of being saddled more and more with taxes that are basically regressive in varying degrees.

At this Convention the delegates will be asked to consider resolutions calling for tax reform and opposing any increase in the sales tax. There is no doubt in the minds of the members of this Committee that these resolutions will be adopted. And there is no doubt in our minds either that whatever legislation for additional revenue is enacted by the Legislature this year, next year or the year after, it is the low and middle income groups of taxpayers that will be hit the hardest.

However, our job is to keep on fighting for justice. The Legislature this year has already once again overwhelmingly voted to place the important question of a graduated income tax before the people. And already, in a broadcast editorial on August 23, WEEI chided the Legislature for ignoring the voice of the people and not considering instead "an expanded, broad-based sales tax," meaning, of course, a higher rate extended to food and clothing. As the sales tax is without question the most regressive tax in existence, you can imagine what this would do to low-income wage earners at today's food prices.

Although it may be impossible to prevent any new taxes from being enacted before 1976, we should be preparing now to spend the next three years trying to make not only our members but all taxpayers see the light on the subject of the graduated income tax. As pointed out by State Representative James Smith in his answer to the WEEI editorial, "The graduated income tax must be adopted. It is the only tax which is based on an individual's ability to pay. People in the lower and middle income range would pay a smaller proportion of their income in state taxes while those earning larger incomes would be required to pay a greater proportional share."

During the year our Committee was also assigned to work with the Jobs For Massachusetts, Inc., an organization devoted to creating tax incentives for the purpose of attracting new businesses to Massachusetts. President Sullivan met early in the year with Executive Vice President Howard P. Foley of that organization to discuss the Council's endorsement of and participation in a plan called "Employment Opportunity Incentive." There followed an exchange of correspondence and transmission of information, including a long memo from Robert H. McClain, Jr. of the Joint Committee on Taxation to House Speaker David M. Bartley, breaking down the entire proposal of the Jobs for Massachusetts, Inc. with commentaries on its merits and deficiencies.

In a letter to the Committee on Taxation at the State House on March 6, our Chairman John Barron wrote that while "we support the principle of an incentive based on the employment of people, and we agree that any accrued credit should be applied toward the tax liability of the corporation only to the extent of such liability," he urged that a more conclusive study of the proposition be conducted.

We will, of course, continue to be interested in any move initiated for the purpose of creating more jobs in Massachusetts, but the main concern of this Committee must be to seek ways and means of relieving the tax burden on those who are least able to pay. And it is with this in mind that we ask the delegates to this Convention to continue cooperating with us, particularly in the greater efforts we must make to convince at least all of our members that the enactment of a graduated income tax would be in their own best interest.

REPORT OF COMMITTEE ON COMMUNITY SERVICES

Members: HELEN T. O'DONNELL, Chairwoman; BERRY ARONSON, FRANK BRODERICK, HELEN CHATTERTON, ARTHUR DiPIETRO, KENNETH MANGAN, JOHN MULLEN, JOHN F. O'CONNOR, FRANK PRIOLI, MARTIN A. JOYCE, HAROLD G. TERRY, JR., C. THERESA LOCKE, SAMUEL WALKER, LEO WALLACE, EVERETT McCULLOUGH, and JOSEPH D. McLAUGHLIN, Secretary.

This Committee met a number of times during the years and took up several very important assignments from the Massachusetts State Labor Council, some of which stemmed from appeals or instructions coming directly from the National AFL-CIO Department of Community Services.

Perhaps our most important activity this past year was our concerted effort to convince the administrator of the Social and Rehabilitation Service of the Department of Health, Education and Welfare that, in the case of unemployed workers engaged in labor disputes, "need" should be the only standard by which to determine eligibility for welfare aid to families. Revised regulations had put the administrator in the position of having to make a choice between two alternatives — Alternative A, which would deny welfare to the families of strikers simply because of their participation in a labor dispute, and Alternative B, which would have established "need" as the sole standard for determining eligibility.

A letter signed by President Sullivan and Secretary-Treasurer Loughlin was sent to the Administrator of the Social and Rehabilitation Service, pointing out that Alternative A, by discriminating against strikers and their families when they are in need, "would not only place the government on the side of the employer in labor disputes, it would reduce the status of an honest working man below that of alcoholics, convicted criminals serving jail sentences, lazy bums who desert their families, or just plain wastrels or scoundrels, all of whose children are eligible for aid when in need."

At the same time, an appeal was made to the presidents and executive directors of all the United Funds in the state, to Governor Sargent, Senate President Harrington and Speaker Bartley, urging them to send similar letters over their respective signatures.

On July 9, HEW Secretary Caspar Weeingerger issued a press release announcing that under the "New Federalism" policy of the Nixon Administration "states will be allowed to deny welfare benefits to children if their parents are on strike." In a letter sent to us on July 11, John J. McManus, Assistant Director of the Department of Community Services, informed us that this decision was made after HEW asked for a public expression on the proposal. "By HEW figures," the letter said, "65 percent of 10,000 respondents supported Alternative B and the concept that people in need and eligible for public services should receive help regardless of contrived circumstances."

The decision of the Secretary of HEW was immediately denounced by President George Meany as "cruel and heartless action," and he said that the new regulation would be studied "to determine what action we can take to reverse this defenseless determination."

Here in Massachusetts, our Executive Council has already acted to prevent implementation of the regulation in the Bay State by asking this Convention to adopt Resolution No. 30, which calls for all-out opposition by the Council to any legislation introduced on Beacon Hill to make this regulation apply here. We feel that we will be assisted in this fight if it occurs by churches and social agencies as well as by all fair-minded individuals in the state.

In other activities, our Committee in March, in a letter signed by Chairwoman O'Donnell, asked the Senate and House Chairmen of the Committee on Insurance at the State House to support House Bill No. 2292. This bill would establish coverage for mental illness on the same basis that physical illness is now covered in health insurance policies. "The cost to the consumer," wrote our Chairwoman, "would be minimal and would result in a savings to the state government and to the taxpayer since the state would be reimbursed by third party payments for treatment."

She also pointed out that "the time has come when mental illness should no more be excluded from health insurance policies than cancer, coronary or the multiplicity of communicable diseases now covered."

We did also participate in another successful Union Counseling course with weekly classes opening on April 16 and 17 and graduation taking place on June 5. The Graduating Exercises saw nearly a hundred new counselors go out with the proper training to help their co-workers with problems that may arise in such areas as Social Security, Medicare and Medicaid, Veterans' Services, Workmen's and Unemployment Compensation, Family Services, Alcoholism, Mental Health, Legal Aid, Juvenile offenders and all categories of State Public Welfare.

On Sunday, May 13, we participated in a conference held by the AFL-CIO Community Services for the Division of Continuing Education at the University of Massachusetts in Amherst — and on May 31, in a Labor Seminar on Alcoholism at the Stonehill College in Easton.

We are also, of course, very much involved in the annual fund-raising campaigns which enable the various United Funds in the state to keep the many community services agencies operating efficiently.

Our Committee is kept very busy throughout each year between conventions — but this is understandable when you consider that many areas in which we have to operate, partially listed by AFL-CIO Director Leo Perlis of the Department of Community Services as: strike assistance, unemployment relief, price monitoring, alcoholism and drug abuse, blood banking, consumer and debt counseling, health and welfare counseling and referrals, youth serving agencies and personal and family problems.

In closing this necessarily limited report, we want to thank everyone who has made our work easier by his or her cooperation.



REPORT OF COMMITTEE ON CIVIL RIGHTS

Members: REXFORD WENG, *Chairman*; ELDRIDGE BUFFUM, JOHN F. BURNS, HERMAN GREENBERG, FREDERICK D. JONES, ELLIOT KLITZMAN, JAMES J. REILLY, EDWARD WALL, JOSEPH STEFANI, LAURA SPENCER, SHELTON COATES, GEORGE BLACKMAN, JULIUS BERNSTEIN, *Secretary*.

This year's convention comes at a significant time of the year in the opinion of your Civil Rights Committee. It comes halfway between the 10th anniversary of the March on Washington for "Jobs and Freedom" and the 25th anniversary of the issuance of the United Nations Declaration of Human Rights. At this point one would like to be able to report that the great day had arrived — that America had truly come to that period when our proclaimed principle of "equality for all" had indeed become reality.

Of course it must be recognized that considerable progress has been made by blacks and other minorities in the years since the martyred Dr. Martin Luther King led the March on Washington. Certainly the passage of three civil rights bills, the Civil Rights Act of 1964, the Voting Rights Act, and the open housing bill, has leveled the legal basis for discrimination and segregation. Whether it be in public accommodations, in government, or in jobs — the almost automatic bottom of the heap position of the black has been changed.

However, in reviewing the work of our Committee during the past year, and in reviewing developments in the nation and the community, we see quite clearly that civil rights is no longer a priority item on the nation's agenda. The broad commitment of major elements of the nation to the advancement of civil rights appears to have been blunted. And, it must at the same time be admitted that the militancy of the civil rights movement of a few years ago appears also to have faded.

However, given the retreat, there nevertheless remains a good deal of arduous day-in day-out work to be done to ensure equality in American society. Our Committee found itself playing a less active role than in the past because of the fact that like the rest of the community, sections of the labor movement also interested themselves less this past year in the problems of the minorities and the underprivileged. However, we did try to do our bit.

One big "plus" was in connection with redistricting in Massachusetts. Organized labor gave its endorsements to efforts to bring about a fair redistricting plan that would assure legislative representation for minorities in the General Court instead of splitting up communities of interest. And, as a result of the active role played by many — including some members of our Civil Rights Committee — it seems likely that the next session of the General Court will see minority Representatives for the first time from areas like Springfield and New Bedford, and probably a first-time black Senator from Boston. It is unfortunate, however, that political forces did the redistricting in such a manner that we cannot truly say that minority interests were served, inasmuch as the redistricting bill that passed resulted in the combination of two districts where Jewish Senators had been elected. As a

result of that move, at least one of them will be gone next year, an unfortunate result at a time when we seek to enlarge minority representation in our legislature.

On the other hand, while the nation at large moved forward on the issue of equality of education, we here in the Bay State were bedeviled by the antics of those more concerned with exploiting the issue of "busing," than with an honest effort to deal with the issue and the problems. The commitment exists — intellectually — to quality integrated education, but this was the year of anti-busing bills and anti-racial imbalance bills. Only the determined stand of the Governor in the face of passage of bills to suspend the historic racial imbalance law passed by this state saved us from looking like one of the bigoted Southern states at which we have in the past smugly pointed our fingers. We have seen determined resistance to "busing", but somehow it always came out as also being determined resistance to integrated quality education. And curiously, the anti-busing elements have yet come up with their own positive recommendations and alternatives in order to achieve America's professed commitment to quality integrated education. Our Committee was able to do little in the face of the passions aroused, but we hope to be able during the coming year to inspire greater positive discussion and consideration of the problem in union educational programs.

Similarly it is an easy matter to document America's lip-service to the principle of achieving equality of opportunity in employment. The facts, however, are that the poverty program has been just about killed (tho it hangs grimly on to a bit of life as a result of court rulings against the President's efforts to kill OEO). The facts are that the Administration has successfully raised or increased the unemployment rate and also successfully cut the appropriations that would create new public service jobs. How important the unemployment rate and the creation of new jobs is to minorities is obvious when one notes that black unemployment — having been down to about 6% in '69, is now back up around 10%. The unemployment rate for blacks is still double that for whites.

And despite the efforts of many to open up better-paying and higher-level jobs for minorities, the figures show that America is falling back again. As a result of the job policies of the Administration, blacks — who at the beginning of the 60s were earning 51% of the white income, and who by the end of the 60s had increased their earning power so that their median income then stood at 61% of the whites — have now slipped back to the point where median black family income is only 59% of that of whites.

Our Committee did what little it could. We pressed our Congressional delegation on overriding the President's "impoundment" of funds; we pressed them to vote to override his veto of the minimum wage bill that obviously would help raise incomes, and we have worked with the civil rights agencies — both private and public and governmental — to continue to open up hitherto closed areas of employment to the minority groups of our community and to also open up for them opportunities for advancement in those areas. It is regrettable that in this brief report we cannot go into detail on our efforts with such bodies as the Advisory Committee to the U. S. Commission on Civil Rights.

The third big area of concern to civil rights partisans is that of housing. Both in terms of open housing, housing available without discrimination, and in terms of the availability of housing for low and low middle income families. By and large outright housing discrimination appears to be much reduced from its former dimensions. However, the availability of low-income housing is another story. Here on the one hand the national administration has been acting to frustrate the hopes and aspirations of the disadvantaged by declaring a moratorium on funds for all kinds of housing subsidies, and low income housing construction. And on the other hand the suburban areas have resisted strongly the development of low-income housing inside their boundaries because "some of those people might try moving into town." Our Committee was pleased to see the Courts of the Commonwealth consider this problem during the past year and uphold the constitutionality of the anti-snob zoning law that will force the suburban areas to play their rightful role in providing a percentage of land for homes for working people at prices they can afford.

As we implied at the start of this report, these days civil rights work doesn't have the glamor and excitement of the protest, demonstration and parade of a few years ago. Instead it is now a concentration on determined efforts through the political process and in the form of hard technical work on community problems such as housing, education and jobs. But discrimination does nonetheless still exist and there is much work yet to be done. And as we take note of the fact that our movement, too, while it is still committed to the winning of equality of opportunity, is no longer moving on the issue with the same degree of vigor, this Committee wishes to note that it is currently preparing for a renewal of educational work on civil rights issues during the coming year and we ask in advance for the support of affiliated locals when they are approached during the coming year to participate in educational programming and in social action drives. Organized labor cannot, must not, falter in its leadership role in behalf of the exploited and down-trodden of our society.



REPORT OF COMMITTEE ON WORKMEN'S COMPENSATION

Members: JOHN PRENDERGAST, *Chairman*; ARTHUR OSBORN, JOSEPH BONAVITO, JOHN R. CRAIG, ARTHUR CECELSKI, BERT FARNHAM, JOHN V. O'BRIEN, LOUIS W. POIRIER, MATTEO A. CIUFFREDO, NICHOLAS MAGLIANO, PAUL J. MELODY, HAROLD HIRTLE, ANTHONY SVIZZERO, WILLIAM BELL, ALFORD DYSON, *Secretary*; LAURENCE LOCKE, *Attorney*.

Our Committee this year has been involved not only in the bills filed by the Massachusetts State Labor Council for the 1973 session of the Legislature but also in the moves initiated in Congress to update State Workmen's Compensation Acts throughout the country.

Attorney Laurence Locks who has worked with this Committee and with the State Labor Council on all developments pertaining to Workmen's Compensation, has ably represented us at hearings on bills filed by our Council and has kept us not only thoroughly informed but also more fully aware of what is going on in the field of Workmen's Compensation at the federal level.

Attorney Locke is a strong advocate of the two-thirds concept for the benefit structure of Workmen's Compensation and this Committee agrees that this concept should be established as part of law in this state and it should eventually be incorporated into Workmen's Compensation laws throughout the fifty states.

Before the filing date in 1972 the State Labor Council had filed five important bills for changes in the Workmen's Compensation law. One would have decreased the waiting period from five to three days; one would have made an employee eligible for workmen's compensation benefits when he loses his capacity to earn because of "wear and tear" attributable to his job; another would increase benefits to two-thirds of the individual's average weekly wages but not less than fifty dollars a week; a fourth would have provided for adjustments based on the cost of living; and the other would have set up a special fund to provide payments for injured workers employed by employers who fail to provide for compensation.

At the Labor Institute held in early April in Chicopee by the Massachusetts State Labor Council, Attorney Locke was one of the principal speakers and he spoke at length on the origin of the law and its primary purpose and on its many deficiencies in this late third quarter of the Twentieth Century.

Locke refused to accept any definition that this law is partly welfare — and he strongly advocated that benefits should never be below two-thirds of the injured worker's wages. He pointed out also that if the recommendations of the National Commission on State's Workmen's Compensation, set up in accordance with Title 14 of the Occupational, Safety and Health Act, were put into effect, the maximum benefit in Massachusetts would be \$106 by July 1st, 1973, instead of \$80.

In the meantime, the Associated Industries did sit up and take notice of the urgent need for updating the Workmen's Compensation, particularly in view of the fact that the National Commission on State's Workmen's Compensation was having some impact on the thinking of Congress, as a result of which the representatives of that body, or their lobbyists, were willing to sit down with labor to discuss compromises on the bills filed by the State Labor Council.

So on August 7, in the Stanbro Hall of the Statler-Hilton Hotel in Boston, a meeting of this Committee and other labor leaders in the state was held, at which Attorney Locke explained a proposal which had been worked out between the Associated Industries and organized labor and on which a consensus of opinion was sought.

This was after a decision reached on June 1st by Insurance Commissioner John C. Ryan, which was hailed by the Massachusetts State Labor Council as a step leading toward eventual acceptance of the two-thirds benefit concept.

"The way is now cleared," said President Joseph A. Sullivan after hearing of the decision, "for the Legislature to establish adequate compensation benefits for injured workers and their widows and orphans without putting an unfair burden of cost on Massachusetts employers. Ryan's decision insures that more of the premium dollar will go into benefits, and that increases in benefit levels will not result in a profit windfall for insurers."

However, at this writing, meaningful improvement in Workmen's Compensation is still pending on the Hill. But the Massachusetts State Labor Council does not intend to be soft-soaped into any unfair proposal. As stressed by Vice President John W. Prendergast, our Chairman, at the August meeting of the Massachusetts State Labor Council, no proposal which promises long-range improvements but which would reduce benefits in some classifications now, will be accepted. And he was promised full backing on this stand by the officers of the Council.



REPORT OF COMMITTEE ON HOUSING

Members: William J. Cleary, *Chairman*; John Cotter, John Damery, Alfred DiRienzo, Carmine D'Olympio, Henry Khoury, James Laycock, Joseph Lydon, Nicholas Magliano Alfred McGlynn, Albert Pacheco, Henry Saracusa, Charles Spillane, Antonio Svizzero, Michael Tarallo; and COPE and Education Director John A. Callahan, *Secretary*.

The Housing Committee of the Massachusetts State Labor Council held a meeting on Wednesday, June 27, 1973, in the offices of the Council. The meeting was called to order at 10:00 a.m. with Chairman William J. Cleary presiding.

The subject matter was House Bill 6661, an act providing for increased assistance to the elderly and providing for additional assistance to cities and towns of the Commonwealth, also known as the Urban Betterment and Elderly Housing Act of 1973; and, also a Modernization Bill, House Bill 6662, that would provide for \$15,000,000 for the modernization of respective areas throughout the Commonwealth of Massachusetts.

In the discussion of House Bill 6661, Chairman Cleary suggested that an amendment be offered to the proposed legislation which would make it mandatory that contractors constructing under Turnkey provisions submit a certified weekly payroll to the Commissioner of Labor and Industries of the Commonwealth of Massachusetts.

It was also suggested that a resolution be offered to the 1973 Convention of the Council, embodying the above suggestion, which would apply to all contractors engaged in public works in the Commonwealth of Massachusetts. Attorney Segal was to be requested to draw up this amendment to House Bill 6661 and to assist in drawing up a resolution on this amendment for presentation to this Convention.

A rehabilitation bill for areas of the Commonwealth that have deteriorating conditions was also discussed, but finalization of the proposed legislation has not been completed.

Senator Joseph F. Timilty, Senate Chairman of Urban Affairs, attended our meeting and his suggestions and expressed opinions were most informative. The Senator also offered his assistance in any labor legislation that would be deemed beneficial to the citizens of the Commonwealth of Massachusetts.

The meeting adjourned at 11:25 a.m.

The following amendment was submitted to Senator Timilty for inclusion in House Bill 6661:

"Section 29 notwithstanding any provisions of law to the contrary, the provisions of Sections 26 and 27 of Chapter 149 of the General Laws shall be applicable to all construction, reconstruction, remodeling, or repair or demolition of building or dwelling units under this chapter. In addition, each contractor and subcontractor operating under this chapter shall furnish cer-

tified copies of his payroll for labor weekly to the Commissioner of Labor and Industries. Any person (including the president and treasurer of corporations) who violates any provision of this section shall be liable to the penalties of Sections 26 and 27 of Chapter 149 as well as a fine of not less than one hundred nor more than five hundred dollars for each separate violation."

During the year informal meetings were held with the Chairman and other members of the Committee on subject matter relating to housing in the Commonwealth of Massachusetts.



REPORT OF COMMITTEE ON ORGANIZATION AND AFFILIATION

Members: JAMES P. LOUGHLIN, *Chairman*; FRANKLIN MURPHY, *Regional Director*; BRADFORD HAMILTON, RAYMOND LAPLANTE, LAWRENCE SULLIVAN, JOSEPH McNAMARA, MICHAEL BOTELHO, ED MCCANN, GERALD J. O'LEARY.

The Committee met on June 19 and examined the current trends in union organization and discussed the importance of affiliation with central labor bodies. There is no doubt that the most significant increases in union membership during the past year have been, as in most recent years, among white collar workers. The effectiveness of collective action is being recognized more and more among professional workers who, not too many decades ago, would have scoffed at the idea of becoming union members.

It must be said that, to their credit, the workers in the profession who have formed unions have contributed much to increase the prestige and to polish up the image of the labor movement in the public eye.

The stress at this time must be placed on the vital need for full affiliation with the State and city central labor bodies. The continued decline in the economy, the continued hesitation in Congress to take bold and forceful steps to end this decline, and the continued refusal of the Nixon Administration to recognize the detrimental effects of its economic policies on the working people of America, all point to the continued need for a strong and united labor movement. And only through affiliation can the American labor movement achieve its full strength and effectiveness.

Following is a list of new affiliations and reaffiliations of the past year and a list of locals which had to be suspended for being too far in arrears at the end of the fiscal year.

New Affiliations and Reaffiliations 1972- 1973

Fire Fighters No. 1751, Athol
AFSCME&ME No. 1198, Boston (Reaff.)
Electrical Wkrs. No. 335, Boston.
Longshoremen No. 800, Boston (Reaff.)
Machinists No. 1790, Boston
Mass. College of Art. Fed. Teachers No. 2057, Boston
Printing Pressmen No. 102, Brockton (Reff.)
Electrical Wkrs. No. 2255, Fall River
Fire Fighters No. 1652, Framingham
So. Shore Voc. Teachers No. 1896, Hanover (Reaff.)
Teachers No. 848, Haverhill
Printing Pressmen No. 45, Holyoke
United Papermakers No. 499, Lee
Musicians No. 126, Lynn
Painters No. 747, Norwood

Boot & Shoe Wkrs. No. 139, Orange
United Papermakers No. 552-T, E. Pepperell
Pittsfield Labor Council (Reaff.)
Typographical No. 109, Pittsfield (Reaff.)
Fire Fighters No. 1768, Plymouth
Machinists No. 977, Plymouth
Fire Fighters No. 1780, Salem
AFSC&ME No. 910, Springfield (Reaff.)
Boston State College Fac. Fed. No. 1943, Boston
Labor Council, Greenfield
Teachers No. 66, Boston (Reaff.)
Norfolk Cty. Agr. School Teachers No. 2335, Walpole
Musicians 109, Pittsfield (Reaff.)
Molders No. 467, Chicopee
Fire Fighters No. 2122, Yarmouth
Fire Fighters No. 1851 Ware
AFSC&ME No. 869, Boston (Reaff.)
Office Employees No. 277, Needham
UPP No. 267-T, Whitman
UPP No. 839, Westfield
USA No. 3650, Springfield (Reaff.)
USA No. 6830, Milford (Reaff.)
USA No. 7896, Fitchburg
USA No. 7970, Worcester
RWDSU No. 1199, Boston
UPP No. 413, W. Groton

Unions Suspended as of June 30, 1973

Pulp, Sulphite & Paper Workers No. 453, Attleboro
N.F.P.O. Motor Vehicle Emp. No. 46, Boston
Service Emps. No. 576, Boston
AFSC&ME No. 1129, Chicopee
Teachers No. 495, Lowell
AFSC&ME No. 1539, Middleboro
Stage Emps. No. 232, Northampton
Musicians No. 109, Pittsfield
AFSC&ME No. 1383, Revere
Fire Fihtrs No. 926, Revere
Barbers No. 385, Salem
Pulp, Sulphite & Papers Workers No. 230, Somerville
Fire Fighters No. 866, Waltham
Amer. Fed. of Teachers, Westfield No. 2167
Railway Clerks No. 243, Worcester
IUE No. 208, Hadley
Boston Joint Board, Boston
RWDSU No. 509
RWDSU No. 515
RWDSU No. 566
RWDSU No. 610
Transport Workers No. 515, East Boston

REPORT OF COMMITTEE ON SOCIAL SECURITY

Members: FRANK SONSINI, *Chairman*; HARVEY BRIGHTMAN, JAMES F. MULLONEY, THOMAS FINNEGAN, JOSEPH P. SULLIVAN, JOHN CUNNINGHAM, WILLIAM H. GUERIN, KENNETH KELLY.

Our Committee has concerned itself this year mostly with the problems of the elderly, concentrating specifically on what is happening to them in the area of health care. The continuing increases in medical care costs are steadily decreasing the effectiveness of the health programs put into effect to solve an age-old problem, programs like Medicare and Medicaid.

For instance, the average hospital bill paid by Medicare has risen from \$500 to more than \$860 in the seven years since the law was first enacted. As a result, the elderly are being forced to pay a larger portion of the hospital bill than was required seven years ago. At Medicare's beginning, the patient was asked to pay the first \$40 for each "benefit period." Now he is asked to pay \$72, nearly double the original amount.

These are only a few of the examples that could be given of the disastrous impact of soaring medical costs on practically every necessity, the elderly, who are mostly on fixed income, are the most disastrously affected.

This year, the Medicare program was greatly improved, with new benefits going into effect on July 1st. These include benefits for disabled Americans at any age, benefits for people suffering from severe chronic kidney disease, expanded physical therapy services and chiropractors' services. But it is the older American which the program was originally intended to benefit. It is expected that between \$8 and \$9 billion in Medicare insurance benefits will be going to 23 million older Americans this year. All but a small fraction of them, that is, 22.5 million, will be paying \$6.30 a month to participate in Part B of Medicare, a supplementary medical insurance which covers mostly outpatient and physician services. The elderly certainly deserve better than they are now getting. A system of inexpensive national health care for them is certainly not yet a reality.

As pointed out by Bert Seidman, Director of the AFL-CIO Department of Social Security, in the May issue of the *Federationist*, "Health care in America is not meeting the people's needs and that fact is being documented today in a constant stream from such unlikely sources as *Fortune*, the magazine of big business, the private insurance industry, Blue Cross and Blue Shield, Rep. Wilbur Mills, chairman of the House Ways and Means Committee, the Nixon Administration and even the American Medical Association."

He went on to say that all are in agreement with the labor movement on the desirability of some form of national health insurance. "Of course," he added, "the agreement breaks down when you get beyond simply endorsing the idea of national health insurance to the specifics of a program."

Seidman points out that the failure of existing health programs is due to the fact that present underwriters only pay lip service to the concept that health care is a right. "The record has demonstrated beyond doubt," he says,

"that insurance companies are interested in just one thing, their own profits. And they don't give a damn about the health of the American people." He stressed that in their total business, by using experience rating, exclusions, limitations and a bewildering mass of fine print, they skim off the cream of health risks. "Those who are covered find that their insurance pays for only a fraction of their health care expenses and they must pay the rest out of pocket."

The private insurance companies, wrote Seidman, including Blue Cross-Blue Shield, cover only one-fourth of personal health care expenditures and consumers and taxpayers pay the other three-fourths. Yet, every so-called national health insurance proposal except one would turn over the financing of America's health care "to these same private insurance companies which have thus far botched the job so badly."

The one exception Seidman referred to is the Health Security Program—the Kennedy-Griffiths bill — which he says is "the only national health insurance proposal that will make quality health care the right of every American and make that right a reality."

So it is the intent of this Committee to continue to gather all information and data available relating to health care, particularly as it applies to older citizens, and to study and discuss this material in an effort to develop new ideas that may be helpful to the Massachusetts State Labor Council in its continuing efforts to cooperate fully with the National AFL-CIO in the drive to have a comprehensive, across-the-board health care made available to every American through an act of Congress.

At the same time, we must continue to keep abreast of developments here at the state level initiated by the recently established Executive Office of Elder Affairs, which looks after the affairs of older citizens here in Massachusetts in such areas as homemaker services, chore services, transportation, housing aid, legal services, meals services and emergency services. We would like to see that new Department of the Commonwealth function at top efficiency.

We ask only that all affiliated locals of the Massachusetts State Labor Council cooperate with us as thoroughly in the future as they have in the past.



SPECIAL REPORT OF OSHA COMMITTEE

By: BERTRAM C. FARNHAM, *Chairman*

Attorney Jean Mirer was hired early in the year by the Massachusetts State Labor Council's Committee on Occupational Safety and Health Administration to draw up a critique of the Massachusetts Department of Labor and Industries' proposed legislation (S1518) and 18b plan for the administration of OSHA in Massachusetts. After doing a point by point comparison of the state enabling legislation and Federal OSHA, it was found that the state plan failed to compare adequately with OSHA on 29 different points of importance.

For example: (1) *State Legislation Provided For No Administrative Penalties*. The state proposal had no provision for administrative penalties; violators would have been punished through the courts, if at all. Federal law contains administrative penalties. Given the state's failure to initiate prosecutions for health and safety violations (e.g. 17 in 1971) and the high cost, in time and money, of judicial proceedings, this was a very serious deficiency. (2) *No First Instance Penalties*. Under the proposed state law, the companies were given a waiting period to abate violations before penalties would be levied. Federal law calls for penalties along with the first citation. This discrepancy removed the incentive for employers to comply until after they are inspected. This is an extremely serious shortcoming of the state law. Attorney Mirer pointed out that the state inspected only one out of every six workplaces in 1970. (3) *Walk Around Rights*. Federal law provides for an authorized representative of employees to accompany inspectors. State law merely provided for *any* representative of employees.

Attorney Mirer summarized her comparison by asserting that many of the specific procedures proposed by the state plan and enabling legislation, such as the apparent reliance on judicial penalties and the waiting period on penalties for violators ("no first instance penalties"), would be significantly less effective than federal procedures. Proposed state standard-setting criteria appear to be less demanding than federal criteria. Significant rights granted to workers under federal OSHA are not guaranteed in the proposed state law (e.g. the complainant's right to anonymity, to a formal review of inspector's findings, and to an explanation of inspector's failures to issue a citation).

Urban Planning Aid, Inc. of Cambridge has, for the past few years, assisted many locals throughout the state by providing technical and legal assistance on health and safety issues affecting workers in the state. Judy DePontbriand, a representative of the Occupational Health and Safety project of UPA prepared a more general critique of the state enabling legislation. In her presentation to the Committee she stated: "We believe the Massachusetts authorities have not done an adequate job of protecting workers from on-the-job hazards. These failings have been the product of state agency policies which treat the health of workers as a matter solely between the state and the employer, and which assume employers will correct all hazardous conditions on their own initiative.

"The Federal OSHA was passed by Congress in 1970 for the very reason that the states had failed to develop or enforce effective programs to ensure liveable working conditions. For the first time, the federal act makes it illegal to run an unsafe workplace by providing standards for conditions and operations; it also provides for the active participation of workers in the inspection process. Also, the penalty and review procedures in the federal law provide much stronger incentives for employers to clean up unsafe workplaces than existing laws ever did."

While the OSHA of 1970 is far from being perfect, its effectiveness since its enactment far surpasses any state legislation to date. For instance, the General Electric Company Riverwork plant in Lynn, Massachusetts, whose workers are members of IUE Local 201, was inspected by OSHA for the first time on July 10-13 and 17-30, 1973. The Company was issued a citation alleging 41 different categories of violations. It should be pointed out that each category may involve many violations throughout the plant and these violations must be corrected immediately unless a specific date is given.

Upon the arrival of the inspectors at the plant, the Safety Committee of IUE Local 201 was immediately notified and given an opportunity to meet with the inspectors prior to the inspection. After the inspection was completed, the inspectors arranged for a meeting of the entire Safety Committee of Local 201 and other labor leaders whose locals represent workers in that same plant. Immediately after the inspection, the Safety Committee members noticed that the Company was making repairs which had needed attention for years in some cases. The Company has never responded so promptly and never made so many corrections on their own initiative as they have since the enactment of OSHA.

Our Committee will continue to oppose any state plans based on poor past performances of state agencies.

The other members of this Committee are William Cleary, *Secretary*; Francis Newman, Donald Leahy, Alfred Gentili, Anthony Pelullo, Michael DiOrio, Robert Kelly, Bufford Harris, James Reilly, Richard Piccuito, Vincent DiNunno and Barbara Fifield.



REPORT OF COMMITTEE ON EDUCATION

Members: JOSEPH O'DONNELL, *Chairman*; JOHN CASEY, ALICE CONNOLLY, JOHN FERNANDES, JAMES GRANDE, KINNARNEY, MALCOLM MACKINNON, WILLIAM MCGUINNESS, ERIKA PINEAULT, HAROLD SOUTHERLAND, MICHAEL TARRALLO, and COPE and Education Director JOHN A. CALLAHAN, *Secretary*.

The Committee on Education met on January 5, 1973. The meeting was called to order at 10:30 a.m., with Chairman O'Donnell presiding. Subjects discussed were the Scholarship Program, the Harvard Trade Union Program, and the Labor Institute.

SCHOLARSHIP PROGRAM

Chairman O'Donnell presented an essay question to the Committee and it was agreed that it be used in the 1973 scholarship examination.

Director Callahan reported that news releases had been sent to over 200 newspapers throughout the state of Massachusetts announcing the availability of scholarships to all high school seniors. Chairman O'Donnell suggested contacting Columnist Nyhan of the Globe for more coverage. It was also agreed that study kits and brochures should be sent out to high schools throughout the state the week following this meeting.

It was also decided that the Scholarship Award which had been given annually by the Massachusetts State Labor Council would henceforth be designated as the Salvatore Camelio Memorial Scholarship in memory of the late President of the Council.

HARVARD TRADE UNION PROGRAM

Director Callahan reported that the brochure for the Harvard Trade Union Program was ready to be printed and that for lack of space the brochure would not contain a list of all the previous winners. It was noted by the Committee that more interest in the program would have to be stimulated. The date for the interviews for applicants was set for April 2, 1973. (More details on this program will be found in the Report of the Department of COPE and Education.)

LABOR INSTITUTE

Director Callahan reported that the Labor Institute would be held at the Highpoint Motor Inn in Chicopee on April 5 and 6, 1973. A tentative agenda accepted at this meeting suggested the following guest speakers: Harry Van Arsdale, Treas., IBEW Local 3; Rev. Mortimer Gavin, S.J., Director of the Institute of Industrial Relations; Henry Murray, AFL-CIO Area COPE Director; Franklin Murphy, AFL-CIO N. E. Regional Director; Lawrence Locke, Attorney; Robert Moran, Occupational Safety and Health Review Commission; and John Perkins, National COPE.

The meeting was adjourned at 12:05 p.m. (A more detailed outline of the Labor Institute will be found in the Report of the COPE and Education Department in these pages.)

The Committee on Education also met on March 27, 1973. At this meeting the Committee finalized plans on the Highpoint Motor Inn Labor Institute, the High School Scholarship Program, and the Harvard Trade Union Program. Reports were presented also on the University of Massachusetts Advisory Committee and the sub-committee of the same.

Other meetings were held during the year with the Chairman of the Committee to discuss on-going programs of particular interest to the Committee on Education.



REPORT OF SPECIAL COMMITTEE

Members: EDWARD T. SULLIVAN, LAWRENCE C. SULLIVAN, HERMAN GREENBERG, JOHN A. CALLAHAN.

In compliance with action taken by the 1972 Convention this Committee was appointed to examine the composition and by-laws of the present State COPE organization and to attempt to come up with recommendations for streamlining it and make it less cumbersome and more effective. We met on May 7 of this year and as a result of the discussions at that meeting we are making some recommendations through two resolutions that will be submitted to this Convention.

One of these resolutions calls for a constitutional amendment that would change the third paragraph of Section 9 of Article VII of the Constitution with the intent of streamlining the State COPE Committee.

The second resolution we are submitting also calls for a constitutional amendment and would have not only a wide-ranging effect on our Conventions but would serve at the same time to improve the quality of our biennial COPE Endorsement Conferences by allowing full concentration of the delegates on the important work of these conferences.

This amendment would change the word "annual" to "biennial" in Section 2 of Article IV of the Constitution and strike out the word "annual" from Section 13(a) of this Article, Section 3 of Article VI and Section 9(a) of Article VII, thus making it possible for the Council to hold regular conventions only every two years.

We firmly believe that our recommendation to change the format of the State COPE Committee would make it more effective in dealing with political problems coming before it.

Rules governing Committees on Political Education of State and Local bodies provide under Section 43 of Article B; "Action to support or oppose candidates and state-wide ballot issues shall be taken by the State AFL-CIO at a regular or special convention acting on the report of the State COPE or the action may be taken by the State COPE when duly authorized by the State AFL-CIO. Therefore, no resolution necessarily determines when a COPE endorsing meeting should be held." The COPE Committee could, at their own discretion, determine the day or days for holding meetings to endorse candidates either prior to the Primary or to the General Elections.

We are of the opinion also that because of the high cost of sending delegates to annual conventions which must be borne by locals and because of the exorbitant costs which have been rising yearly for the Massachusetts State Labor Council, our recommendation for biennial regular conventions is based on sound reasoning, and we hope that the delegates to this Sixteenth Annual Convention will see it that way and adopt the two resolutions we have submitted..

**MASSACHUSETTS STATE LABOR
COUNCIL, AFL-CIO**

REPORT ON AUDIT

JUNE 30, 1973

FLAHERTY, BLISS AND COMPANY

CERTIFIED PUBLIC ACCOUNTANTS

40 COURT STREET

BOSTON

August 20, 1973

Massachusetts State Labor Council, AFL-CIO
6 Beacon Street
Boston, Massachusetts

Gentlemen:

In accordance with instructions we have made an examination of the books and records of Massachusetts State Labor Council, AFL--CIO, for the year ended June 30, 1973. We have prepared and attach hereto the following financial statements:

Exhibit 1 Balance Sheet — June 30, 1973

Exhibit 2 Statement of Income and Expense and Analysis of Net worth — For the Fiscal Year Ended June 30, 1973

Schedule 1 Statement of Membership — For the Fiscal Year Ended June 30, 1973

Schedule 2 Analysis of 1972 Convention Expense

COMMENTS

<i>Cash — General Fund</i>	\$16,742.08
<i>Cash — Restricted Funds</i>	<u>\$31,177.55</u>

The cash consisted of the following:

General Fund Cash

First National Bank of Boston — Checking Accounts:

General Fund	\$ 3,835.80
Year Book Fund	665.59

Total Checking Accounts	4,501.39
Petty Cash Fund	25.00
Provident Institution for Savings	
Savings Account	\$6,215.69
Certificate of Deposit —	
Due 9/15/74	5,000.00 11,215.69

Commonwealth Bank and Trust Co.

Certificate of Deposit —	
Due 10/16/74	1,000.00

<i>Total General Fund Cash</i>	<u>\$16,742.08</u>
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Restricted Cash

First National Bank of Boston — Checking Accounts:

Benefit Plan	\$ 795.01
COPE (2 Accounts)	30,382.54

<i>Total Restricted Cash</i>	<u>\$31,177.55</u>
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We received from The First National Bank of Boston, the Provident Institution for Savings and Commonwealth Bank and Trust Company statements of cash balances and Certificates of Deposit at June 30, 1973, and we have reconciled those statements of balances with the books.

The balances of the COPE accounts (\$30,382.54) are restricted and may be used only for political, educational and administration expenses, within the provisions of state and federal laws.

At June 30, 1973, there has been included in Dues Receivable from Affiliates an amount for COPE of \$863.62 and when the Dues Receivable of June 30, 1973 (\$8,571.81) has been collected the amount included for COPE of \$863.62 will be transferred to a COPE restricted cash account.

<i>Dues Receivable from Affiliates</i>	\$8,571.81
	<u><u> </u></u>

Our examination of the records showed the above amount represents the total of the open balances at June 30, 1973.

At June 30, 1973, certain affiliated local unions had not paid their current per capita dues and these unpaid items amounted to \$8,571.81. None of the balances has been verified by correspondence.

<i>Accounts Payable</i>	\$10,130.25
	<u><u> </u></u>

Unpaid liabilities applicable to the year ended June 30, 1973 consist of the following:

Union Dues Withheld for Office Employees	
Local No. 6	\$ 168.75
Kennedy Scholarship Award to be made	
at 1973 Convention	1,000.00
	<u> </u>
Total Forwarded	\$ 1,168.75
Total Brought Forward	\$ 1,168.75
Lavigne Scholarship Award to be made	
at 1973 Convention	1,000.00
Camelio Scholarship Award to be made	
at 1973 Convention	500.00
Other Union Scholarship Awards	200.00
Excelsior Press — For Printing Expenses	
related to the 1972 Convention	
(Estimated)	5,922.50
Excelsior Press — Essay Scholarship	
Awards	1,339.00
	<u> </u>
Total	<u><u>\$10,130.25</u></u>

The above items are current and we have been informed that all known liabilities of consequence have been entered on the books at June 30, 1973.

<i>Accrued Taxes</i>	\$11,834.77
	<u><u> </u></u>

At June 30, 1973, there was accrued and unpaid the following items:

Employees Massachusetts Income Tax	
Withheld	\$ 483.91
Massachusetts Unemployment Tax	468.56
Federal Income Tax (1972 Year Book	
Expense)	7,572.34
FICA Employer — Employee	1,197.46
Federal Income Withholding Tax —	
Employees	1,925.50
Total	\$11,834.77

Deferred Credit:

<i>Dues from Affiliates Received in Advance</i>	<u><u>\$799.20</u></u>
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Certain affiliated unions had paid in advance their per capita dues of \$799.20 and these dues are applicable to the period starting July 1, 1973, and we have deferred this amount of dues to the next accounting period.

GENERAL COMMENTS

In general, we have examined accounting records and other supporting evidence submitted for our inspection, by methods and to the extent we deemed appropriate. While a review of the accounting procedures and system has been made, we did not make a detailed audit of the transactions.

In our opinion, the accompanying Balance Sheet at June 30, 1973, and the Statement of Income and Expense and Analysis of Net Worth for the fiscal year ended June 30, 1973, and related schedules fairly present the financial position of Massachusetts State Labor Council, AFL-CIO, at June 30, 1973, and the results of its operation for the year then ended, in accordance with accepted principles of accounting applied on a basis consistent with that of the preceding year.

Respectfully submitted,

FLAHERTY, BLISS & COMPANY

Exhibit 1

**MASSACHUSETTS STATE LABOR COUNCIL, AFL-CIO
BALANCE SHEET — JUNE 30, 1973**

ASSETS

Cash — General Fund	\$16,742.08
Cash — Restricted Funds	31,177.55
Dues Receivable from Affiliates	8,571.81
Other Accounts Receivable	1,484.73
Deposit — American Airlines Travel Credit	425.00
TOTAL ASSETS	<u><u>\$58,401.17</u></u>

LIABILITIES — DEFERRED CREDIT — NET WORTH

Liabilities:

Accounts Payable	\$10,130.25
Accrued Taxes	11,834.77
Total Liabilities	<u><u>21,965.02</u></u>

Deferred Credit — Dues from Affiliates			
Paid in Advance			799.20
Net Worth — Divided as Follows:			
General Fund — Deficit	(\$5,609.15)		
C.O.P.E.	41,246.10	35,636.95	
TOTAL LIABILITIES—DEFERRED CREDIT			
NET WORTH			\$58,401.17

Note: The above statement is part of a report dated August 20, 1973, and is subject to the comments contained therein.

Exhibit 2

MASSACHUSETTS STATE LABOR COUNCIL, AFL-CIO STATEMENT OF INCOME AND EXPENSE AND ANALYSIS OF NET WORTH FOR THE FISCAL YEAR ENDED JUNE 30, 1973

	COPE Funds	General Funds	Total
<i>INCOME</i>			
Per Capita Tax from			
Affiliated Locals	\$28,102.34	\$222,424.47	\$250,526.81
Other Contributions	1,025.00		1,025.00
Interest		1,445.84	1,445.84
Miscellaneous		533.63	533.63
Gompers Banquet Income\$ 11,775.00			
Gompers Banquet Expense 6,051.18	5,723.82		5,723.82
Receipts from 1972 Year Book			
Advertising 130,963.05			
Less: Expenses & Commissions 99,129.21		31,833.84	31,833.84
Total Income	\$34,851.16	\$256,237.78	\$291,088.94
<i>EXPENSE</i>			
Salaries:			
Secretary-Treasurer\$		\$ 17,875.00	\$ 17,875.00
Legislative Director		16,374.80	16,374.80
C.O.P.E. Director		16,374.80	16,374.80
Public Relations Director		14,374.88	14,374.88
Liaison Officer		3,195.00	3,195.00
Clerical		39,628.00	39,628.00
Travel and Expenses:			
Legislative Department (including consultant's fee of \$2,400.00)		8,394.08	8,394.08
C.O.P.E. Department 3,523.34			3,523.34
Public Relations Department		1,007.13	1,007.13
President		929.23	929.23
Secretary-Treasurer		4,068.33	4,068.33
Legal Advisor		4,707.00	4,707.00
Rent and Light		13,799.88	13,799.88

	COPE Funds	General Funds	Total
Auditing Expense		2,150.00	2,150.00
Office Expense		1,621.14	1,621.14
Office Supplies		6,859.69	6,859.69
Office Equipment		328.98	328.98
Cost of Life Insurance, Pensions and Retirement Program for Employees and Legal Expense		21,031.39	21,031.39
1972 Convention Expense		29,737.09	29,737.09
Tickets		5,816.00	5,816.00
Executive Council Meetings and Expnse ...		12,937.00	12,937.00
Insurance		356.00	356.00
Essay Contest and Scholarship Awards		3,971.95	3,971.95
Totals Forwarded	\$ 3,523.34	\$225,537.37	\$229,060.71
Totals Brought Forward	\$ 3,523.34	\$225,537.37	\$229,060.71
Messenger Service		508.06	508.06
Printing Expense of Newsletter		7,153.90	7,153.90
Physically Handicapped Program and Awards		452.73	452.73
Watt Scholarship Program		3,500.00	3,500.00
Payroll Taxes		6,322.37	6,322.37
Telephone and Telegraph		4,640.35	4,640.35
Miscellaneous		2,426.88	2,426.88
Blue Cross - Blue Shield Expense		4,891.79	4,891.79
Due to Affiliated Organizations		161.15	161.15
Donations and Subscriptions		1,818.44	1,818.44
Public Stenographic Expense		1,523.75	1,523.75
Postage		7,162.30	7,162.30
Expense of Community Service		500.00	500.00
Labor Day Expense		196.00	196.00
Various Conferences and Seminars		2,596.70	2,596.70
Printing Legislative Labor Voting Records		2,134.16	2,134.16
Workmen's Compensation Booklets (Expense \$2,326.77, Income \$672.45)		1,654.32	1,654.32
Graduated Income Tax Expense		6,460.00	6,460.00
Strike Fund Contributions		700.00	700.00
C.O.P.E. Election, Travel and Other Expenses	16,025.98		16,025.98
<i>Total Expense</i>	<u>19,549.32</u>	<u>280,340.27</u>	<u>299,889.59</u>
Net Income (Loss) for the Fiscal Year			
Ended June 30, 1973	15,301.84	(24,102.49)	(8,800.65)
Net Worth June 30 1972	25,944.26	18,493.34	44,437.60
Net Worth June 30, 1973	<u>\$41,246.10</u>	<u>(\$ 5,609.15)</u>	<u>\$ 35,636.95</u>

Note: The above statement is part of a report dated August 20 1973, and is subject to the comments contained therein.

Schedule 1

**MASSACHUSETTS STATE LABOR COUNCIL, AFL-CIO
STATEMENT OF MEMBERSHIP
FOR THE FISCAL YEAR ENDED JUNE 30, 1973**

Affiliated Organizations — July 1, 1972	852
Add: Affiliated Organizations Accepted During the Year	41
	<hr/>
<i>Total</i>	893
Deduct: Affiliated Organizations Lost During the Year	
(by mergers, withdrawals, suspensions, etc.)	61
	<hr/>
Affiliated Organizations — June 30, 1973	832
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Note: The above statement is part of a report dated August 20, 1973, and is subject to the comments contained therein.

Schedule 2

**MASSACHUSETTS STATE LABOR COUNCIL, AFL-CIO
ANALYSIS OF 1972 CONVENTION EXPENSE
BOSTON, MASSACHUSETTS**

Printing of Proceedings, Reports, Resolutions, Credentials, etc.	\$11,197.15
Hotel, Hall Rental, Rooms, Meals, Gratuities, etc.....(1)	8,352.37
Convention Badges and Kits	2,240.01
Stenotyping and Typewriting	785.25
Entertainment	1,025.00
Convention Photos and Signs	1,402.75
Massachusetts Union Label Service	1,000.00
Miscellaneous	3,734.56
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<i>Total</i>	\$29,737.09
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Note: (1) This amount has been reduced by Registration Fees (which fee included dinner charge) in the amount of \$6,935.50.

(2) The above statement is part of a report dated August 20, 1973, and is subject to the comments contained therein.

